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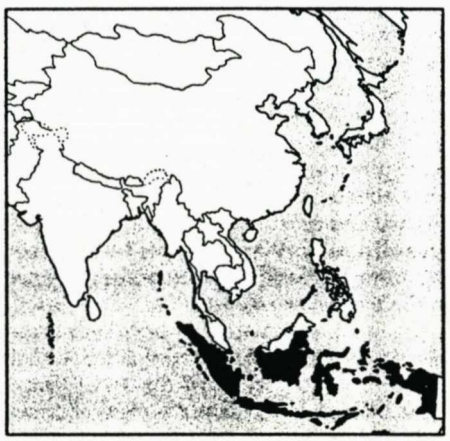
AMNESTY INTERNATIONAL REPORT

1997

This report covers the period January to December 1996

INDONESIA AND EAST TIMOR

At least 137 prisoners of conscience were detained. Nine were sentenced to prison terms and at least 20 others were on trial or awaiting trial at the end of the year. Hundreds of people, including possible prisoners of conscience, were arrested and held briefly without charge or trial. At least 208 political prisoners sentenced in previous years, many of them prisoners of conscience, remained imprisoned. At least 187 political prisoners received prison sentences after unfair trials. Torture of detainees, including juveniles, was common, and in several cases resulted in death. At least one person was believed to have "disappeared" in East Timor; dozens of people were killed by members of the security forces in suspicious circumstances. Previous cases of "disappearances" and extrajudicial executions remained unresolved. At least 26 people remained on death row at the end of the year. There were no executions. An armed opposition group committed human rights abuses including deliberate and arbitrary killings and hostage-taking.



The government faced continued armed opposition from groups seeking independence in East Timor, Irian Jaya and Aceh. Access by international and domestic human rights monitoring organizations to East Timor and parts of Indonesia continued to be restricted.

In March, the Chairman of the UN Commission on Human Rights made a statement, which was accepted by the member states of the Commission, reiterating concern about the human rights situation in East Timor and calling on the Indonesian Government to implement undertakings contained in previous Chairman's statements, including the release of East Timorese detained in connection with the 1991 Santa Cruz massacre in Dili. Also in March, in his report of a visit to Indonesia and East Timor in December 1995, the UN High Commissioner for Human Rights called on the government to grant international human rights non-governmental organizations full access to Indonesia and East Timor; to repeal the Anti-subversion Law; to grant clemency to individuals detained in connection with the Santa Cruz massacre; and to continue the search for the dead and "disappeared" in the massacre.

In July, the human rights situation in Indonesia deteriorated sharply when the Jakarta headquarters of the Indonesian Democratic Party (PDI), occupied by supporters of ousted party leader Megawati Sukarnoputri, was raided by hundreds of police and alleged supporters of a government-backed rival faction of the PDI. Following the raid and subsequent riots, the government launched a crack-down on opposition groups. In September, the authorities announced restrictions on election campaigning during 1997, including increased police powers to ban campaigning activities they considered to be a threat to public safety.

Investigations by Indonesia's National Human Rights Commission (*Komnas HAM*) revealed evidence of human rights violations, including "excessive behaviour" by the military leading to the deaths of three students during protests in Ujung Pandang in April. In October, *Komnas HAM* released a report on the raid on the PDI headquarters and the riots which followed, which blamed the riots on the violence with which the raid was conducted. *Komnas HAM* reported that five people were killed during the raid or riots, 149 were injured and 23 were missing. *Komnas HAM* opened an office in Dili, East Timor, in October and announced its intention to open an office in Irian Jaya.

At least 137 prisoners of conscience, including human rights and political activists, were detained during the year. Nine were sentenced to terms of imprisonment and at least 20 were on trial or awaiting trial at the end of the year.

At least 108 people were arrested during a crack-down on peaceful opposition activities following the raid on the PDI headquarters in July. Most were released without charge, some after being held incommunicado for weeks in military custody, but 12 were charged with subversion or under legislation which prohibits "spreading hatred" against the government. They included several members of a left-wing political organization accused by the government of instigating the riots. Their trials began in December.

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Muchtar Pakpahan, an independent trade union leader, was arrested in July after attempting to arrange a meeting between a foreign journalist and an eyewitness to the raid on the PDI headquarters. His trial, on a charge of subversion, began in December. In November, the Supreme Court reimposed on him a four-year prison sentence it had quashed in May 1995 (see *Amnesty International Report 1996*).

In July, three labour activists were arrested and later charged with subversion for their involvement in a peaceful labour demonstration in the town of Surabaya. Their trials began in December. In October, two men, Andi Syahputra and Dasrul, were arrested at a printing house in Jakarta for their alleged role in printing an independent magazine, *Suara Independen*. Andi Syahputra was charged with "insulting the President" and "expressing feelings of hostility, hatred or contempt toward the government".

In May, Sri Bintang Pamungkas, a politician, was sentenced to 34 months' imprisonment for "insulting the President" in remarks he was alleged to have made during a seminar in Germany in 1995 (see *Amnesty International Report 1996*). In June, he lodged an appeal against the sentence, but in December it was announced that the sentence had been upheld.

In November, Danang Kukuh Wardoyo, sentenced to 20 months' imprisonment for his alleged role in disseminating an unlicensed publication in September 1995, was released. Two journalists convicted with him remained in prison.

At least 22 East Timorese prisoners of conscience were serving prison sentences of up to life imprisonment. They included six East Timorese convicted of "publicly expressing hatred towards the government" during a pro-independence demonstration in Dili in February and sentenced to one year's imprisonment. In May, Jose Antonio Belo was released after 17 months' imprisonment for his role in a peaceful pro-independence demonstration in January 1995 (*see Amnesty International Report 1996*). Eleven people tried and convicted for their alleged role in the same demonstration were expected to be released in early 1997.

Hundreds of people, including peaceful political activists, were subjected to short-term detention and harassment by the security forces. Four men from Irian Jaya were arbitrarily detained in Jakarta and held incommunicado for up to nine days before being released without charge. The four appeared to have been arrested in connection with peaceful protests in Jakarta concerning Irian Jaya. At least 300 East Timorese were believed to have been arbitrarily detained, including five men who were arrested in November because they were thought to have publicized information about the killing of two civilians by the military in September.

At least 208 political prisoners, many of them prisoners of conscience, continued to serve sentences of up to life imprisonment, imposed in previous years after unfair trials, for alleged links with armed secessionist movements in East Timor, Irian Jaya and Aceh, and with Islamic and political activism. At least 14 prisoners convicted for their alleged role in a 1965 coup attempt, remained imprisoned; many were prisoners of conscience and all were imprisoned after unfair trials. All were elderly and most were suffering from serious ill health. Five had spent more than 25 years on death row, including former parliamentarian Sukatno.

At least 187 political prisoners were sentenced, many reportedly after unfair trials, to prison terms of up to 10 years. They included 115 people sentenced to up to four months and three days' imprisonment for refusing to disperse from the PDI headquarters in Jakarta during the raid in July. All 115 were believed to be supporters of ousted PDI leader Megawati Sukarnoputri. In Irian Jaya, at least 31 men were tried for their alleged role in disturbances which took place in March in Abepura, Irian Jaya. The men received sentences of up to one year's imprisonment. In August, six men were sentenced to prison terms ranging from two to 10 years in Merauke, Irian Jaya, for an armed attack in which an Indonesian soldier was killed. They were reportedly pressurized by the authorities not to appeal against the sentences. In East Timor, 21 people were imprisoned for their alleged role in disturbances in Baucau, East Timor. All 21 were believed to have been tried without legal representation and to have been denied information about the scheduling of their trials, which resulted in them having inadequate time to prepare their defence.

There were numerous reports of torture and ill-treatment by the security forces.

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Five people arrested outside a church during disturbances in Abepura, Irian Jaya, were reportedly taken to a security post and kicked, hit and slashed with a knife by soldiers before being released without charge the following day. Three East Timorese were hospitalized after being severely beaten by members of the security forces when they were expelled from the German Embassy in Jakarta, where they had attempted to seek asylum. The three were promptly arrested by soldiers waiting outside the Embassy who beat and kicked them. The three men were reportedly detained for two days before being released without charge.

Torture and ill-treatment of criminal suspects were also commonplace and sometimes resulted in death. In October, Tjetje Tadjudin died in police custody after he had apparently told police that he believed members of the Indonesian Armed Forces were involved in a robbery to which he had been a witness. The post-mortem reportedly demonstrated that Tjetje Tadjudin died from injuries consistent with torture. A police lieutenant was arrested in October in connection with his death.

"Disappearances" continued to be reported. Despite a police inquiry announced in February 1995, there was no information about the fate of five men believed to have "disappeared" after they were arrested in Dili in January 1995.

Dozens of people were believed to have been killed by the security forces in suspicious circumstances. In August, Faud Muhammad Syafruddin, a journalist, was severely beaten by two men after publishing articles about local government corruption; he died three days later. There were allegations that local government officials may have been involved in Faud Muhammad Syafruddin's death, and in November *Komnas HAM* announced that his death was linked to his publication of controversial articles.

Several East Timorese were reportedly killed by members of the security forces in suspicious circumstances. In September, two men were reportedly shot by soldiers as they stopped at a military check-point on a road to the East Timorese town of Viqueque. In November, *Komnas HAM* announced an investigation into their deaths.

Many killings and "disappearances" in previous years remained unresolved. In February, a military court sentenced four soldiers to prison terms of between one and three years in connection with the killing of three civilians in the village of Hoea in Irian Jaya in May 1995. However, 13 other killings and four "disappearances" in the same area of Irian Jaya, confirmed by *Komnas HAM* in September 1995, were not investigated by the authorities. The authorities did not initiate investigations into the fate of the estimated 270 people killed and 200 others "disappeared" during the 1991 Santa Cruz massacre in East Timor, despite being urged to do so by the UN Commission on Human Rights and the UN High Commissioner for Human Rights.

At least 26 people remained on death row at the end of the year, including five political prisoners who had been under sentence of death for over 25 years. No executions were carried out.

An opposition group committed human rights abuses including hostage-taking and summary executions. In January, the Free Papua Movement (OPM) took 26 people hostage in Mapunduma village, in the Baliem Valley area of Irian Jaya. Several of the hostages were released, but 11 Indonesians and foreigners were only released after a military operation in May. Two of the Indonesian hostages were believed to have been killed by the OPM during the release operation.

Amnesty International repeatedly appealed for the immediate and unconditional release of all prisoners of conscience, for the review of cases of political prisoners imprisoned after unfair trials, and for urgent steps to be taken to end torture, extrajudicial executions and the use of the death penalty.

Amnesty International published reports in July, *East Timor: Going through the motions*; in August, *Indonesia: The 1965 prisoners – how many more will die in jail?*; and in November, *Indonesia: Arrests, torture and intimidation – the government's response to its critics.*

In a statement to the UN Commission on Human Rights in April, Amnesty International included reference to its concerns in both Indonesia and East Timor. In an oral statement to the UN Special Committee on Decolonization in July, Amnesty International described its concerns about extrajudicial executions, torture and other human rights violations in East Timor. In January, Amnesty International called on the OPM to release 13 people taken hostage in Irian Jaya.